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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/534,416	07/30/2007	Kenneth Baker	030036U1	7440
23696 7590 10/27/2010 QUALCOMM INCORPORATED 5775 MOREHOUSE DR. SAN DIEGO, CA 92121			EXAMINER DOAN, PHUOC HUU	
			ART UNIT 2617	PAPER NUMBER
			NOTIFICATION DATE 10/27/2010	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

us-docketing@qualcomm.com

Office Action Summary	Application No. 10/534,416	Applicant(s) BAKER ET AL.	
	Examiner PHUOC DOAN	Art Unit 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 August 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|-----------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1-37 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims rejected under 35 U.S.C. 103(a) as being unpatentable over Kuwahara (US Pub No: 2003/0162550) in view of Bassirat (US Patent No. 6,507,741).

As to claim 1, 6, 12, 17, 21, 26, 30, 34, 36, Kuwahara discloses a method comprising: receiving information in a wireless communication system (Fig. 3) from a repeater through a base station of a set of base stations (paragraph [0052]), the information being indicative of signals of a set of base stations detectable by said repeater (par [0052-0053] “a repeater connected to bases stations where the information of signal of base station are

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detected in the wireless communication network”); and updating (par [0074-75] “obtained and change for any information have been stored on the controller server based on the change of ID of its neighboring base station, their PN offsets”) a neighbor list based on the received information (par [0074-0075] “the list of base stations and associated repeaters is stored on a server apparatus connected to the network where using the information obtained from the signal”). Kuwahara is not clear to disclose receiving information in a wireless communication system from a repeater through a base station of a set of base stations, the information being indicative of signals of said set of base station detectable by said repeater). Bassirat clearly discloses receiving information in a wireless communication system from a repeater through a base station of a set of base stations, the information being indicative of signals of said set of base station detectable by said repeater (col. 8, lines 40-65, col. 13, lines 30-65, col. 15, lines 20-55 “associated with the CDMA handoff process where to specific applied to collocated base stations used repeater base station or extend in the coverage that provided identifying or detect by repeater based on collocated base station and repeater base station that allow wireless systems control in maintain the signal of channel communication between repeater base stations and base stations in collocated”). Therefore, it would have been obvious to one of ordinary skill in

the art at the time of the invention provide above teaching of Bassirat to Kuwahara in order fixed or adjustable time delay and to extend in the coverage areas to complete the process of handoff (see col. 15, lines 30-62).

As to claim 2, 13, 22, 35, Kuwahara further discloses that further comprising initiating transmission of the updated neighbor list to be sent to one or more subscriber units of the wireless communication system (par [0074-0075]).

As to claim 3, 7, 14, 18, 23, 27, 31, Kuwahara further discloses wherein the information identifies a set of phase offsets detected from the signals of the set of base stations (par [0069, 0074]).

As to claim 4, 8, 15, 19, 24, 28, 32, Kuwahara further discloses wherein the information includes identification codes detected from the signals of the set of base stations (par [0074]).

As to claim 5, 9, 16, 20, 25, 29, 33, 37, Kuwahara further discloses wherein the wireless communication system comprises a code division multiple access (CDMA) system and the information identifies pseudo-random noise (PN) offsets (par [0040, 0061]).

As to claim 10, Kuwahara further discloses that further comprising identifying energy levels of the signals and sending information indicative of the energy levels (par [0041]).

As to claim 11, Kuwahara further discloses that further comprising identifying pilot symbols of the signals and sending information indicative of the identified pilot symbols (par [0068]).

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Olds (US Patent No. 6,757,263) discloses Wireless repeating subscriber units.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to PHUOC DOAN whose telephone number is (571)272-7920. The examiner can normally be reached on 10:00AM to 6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, LESTER KINCAID can be reached on 571-272-

7922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/PHUOC DOAN/
Examiner, Art Unit 2617